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California Regional Water Quality Control Board Los Angeles Region

(50 Years Serving Coastal Los Angeles and Ventura Counties)

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Gray Davis
Governor

Tom Hay
Greystone Homes, Inc.
25129 The Old Road, Suite 100
Stevenson Ranch, CA 91381

CONDITIONAL CERTIFICATION FOR PROPOSED V.T.T.M. 45645 - HASLEY CANYON PROJECT (Corps' Project No. 2001-00315-AOA), UNNAMED DRAINAGES TRIBUTARY TO CASTAIC CREEK, VAL VERDE AREA, LOS ANGELES COUNTY (File No. 00-160)

Dear Mr. Hay:

Regional Board staff has reviewed your request on behalf of Greystone Homes, Inc. (the Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above referenced project. Your application was deemed complete on January 25, 2001.

I hereby certify that there is a reasonable assurance that the discharge from the V.T.T.M. 46545 - Hasley Canyon Project, as proposed and described in Attachment A, if performed in accordance with all applicable water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region* (1994), and in accordance with the conditions specified in Attachment B, will comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act.

The Applicant shall be liable civilly for any violations of this certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this certification action, please contact Anthony Klecha, Lead, Section 401 Program, at (213) 576-6785.

[Original signed by]

[February 5, 2001]

Dennis A. Dickerson

Date

California Environmental Protection Agency

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Executive Officer

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ATTACHMENT A

Project Information File No. 00-160

1. Applicant: Greystone Homes, Inc.
25129 The Old Road, Suite 100
Stevenson Ranch, CA 91381
Phone: (661) 260-2850 Fax: (661) 222-9730
2. Applicant's Agent: Christine Cuba
Land Design Consultants, Inc.
225 S. Lake Avenue, Suite 600
Pasadena, CA 91101
Phone: (626) 578-7000 Fax: (626) 578-7373
3. Project Name: V.T.T.M. 45645 - Hasley Canyon
4. Project Location: Val Verde area, Los Angeles County
Township 4N, Range 17W, 118.67°W / 34.46°N
5. Type of Project: Residential development
6. Project Description: The proposed project involves the development of 67 single-family lots and one open space on a 160-acre site. Total project grading is estimated to be 538,000 cubic yards of cut and fill that will be balanced onsite. Implementation of the proposed project will result in the permanent filling of one drainage (Drainage B) and portions of another (Drainage D) for building pads and associated infrastructure.
7. Federal Agency/Permit: U.S. Army Corps of Engineers
NWP No. 39 (Permit No. 2001-00315-AOA)
8. Other Required Regulatory Approvals: California Department of Fish and Game
Streambed Alteration Agreement (Notification No. 5-338-00)
9. California Environmental Quality Act (CEQA) The Los Angeles County Regional Planning Commission prepared a Negative Declaration for the proposed project on February 5, 1992. A

ATTACHMENT A

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| Compliance: | Notice of Determination was filed on February 7, 1992. |
| 10. Receiving Water: | Unnamed drainages tributary to Castaic Creek (Hydrologic Unit No. 403.51) |
| 11. Designated Beneficial Uses: | MUN, IND, PROC, AGR, GWR, FRSH, REC-1, REC-2, WARM, WILD, RARE |
| 12. Impacted Waters of the United States: | Non-wetland waters (unvegetated streambed): 0.07 permanent acres |
| 13. Dredge Volume: | 0 cubic yards |
| 14. Related Projects Implemented/to be Implemented by the Applicant: | Pending project: V.T.T.M. 52475, a 46-lot subdivision east of Sloan Canyon Road, north of Hasley Canyon Road and north of Hasley Canyon Creek. Through the construction of a concrete box for a proposed bridge, the Applicant may impact up to 0.5 acres of ephemeral waters. Compensatory mitigation, if required, is anticipated to occur onsite. |
| 15. Avoidance/ Minimization Activities: | <p>The proposed development has been designed to avoid the two main drainages onsite and one smaller tributary. These combined drainages support approximately 0.70 acres of waters of the United States, or 91% of the jurisdictional area onsite.</p> <p>The Applicant has proposed two (2) bio-filtration areas in the designated Open Space Lot 68 in order to treat the project's anticipated "first-flush" pollutants. Incidental and "first-flush" runoff from the project will be discharged from the westerly and easterly outlet structures, over grouted-riprap pads, and into the bio-filtration areas where the sediments will be allowed to settle-out and the water will be allowed to percolate into natural soils prior to discharge into existing waters of the United States. The bio-filtration areas will be planted with riparian vegetation.</p> |

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Project Information

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16. Proposed
Compensatory
Mitigation:

The applicant has proposed to enhance 0.70 acres of streambed habitat through the removal of existing trash, old auto parts and household debris, and exotic/invasive species from the drainages.

In addition, the Applicant has proposed to create an additional 0.36 acres of new riparian area adjacent to the proposed bio-filtration areas within Open Space Lot 68.

See Attachment B Conditions of Certifications, Additional Conditions for additions to the above proposed compensatory mitigation.

ATTACHMENT B

Conditions of Certification File No. 00-160

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR Section 3867).
2. This certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

ADDITIONAL CONDITIONS

Pursuant to 23 CCR Section 3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' Section 404 Permit and the California Department of Fish and Game's Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the United States.**
2. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the United States. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the United States.
3. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the United States.
4. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater

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Conditions of Certification File No. 00-160

- level. If groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.
5. All surface water inflows shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan** to this Regional Board. The plan shall include the proposed method and duration of diversion activities, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for pH, temperature, dissolved oxygen, turbidity, and total suspended solids shall be implemented. These constituents shall be monitored on a **daily** basis during the first week of diversion activities, and then on a **weekly** basis, thereafter, until the in-stream work is complete. Results of the analyses shall be submitted to this Regional Board by the **15th** day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.
 6. The Applicant shall restore all areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the United States. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. The Applicant shall implement appropriate Best Management Practices to control erosion and runoff from areas associated with this project.
 7. The Applicant shall provide COMPENSATORY MITIGATION for the proposed permanent impacts to **0.07** acres of waters of the United States by enhancing a minimum of **0.70 acres** (a 10:1 ratio) of streambed/riparian habitat onsite. Enhancement activities shall include removing all existing trash, auto parts, household debris, and exotic vegetation from the preserved jurisdictional drainages onsite. In addition, the Applicant shall create **0.36 acres** (an additional 5:1 ratio) of riparian habitat by pulling back the toes of the slopes adjacent to the proposed bio-filtration areas within Open Space Lot 68 and planting riparian vegetation.
 8. The Applicant shall submit to this Regional Board a **Final Mitigation Monitoring Report** documenting the success of all restoration and mitigation efforts, including, percent survival by plant

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species and percent cover, and exotic vegetation removal activities. The report shall include properly identified photographs taken before and after completion of mitigation activities and shall be submitted at the time said report is due to the California Department of Fish and Game.

9. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **00-160**. Submittals shall be sent to the attention of the Nonpoint Source Unit.
10. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.
11. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS614001 and Waste Discharge Requirements Order No. 96-054. This includes the Standard Urban Stormwater Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment.